

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The CONTRACT LABOUR (Regulation & Abolition) Act, 1970 and A.P. Rules, 1971 – Revision of wages of contract Labour under Service Condition No.12 read with Clause (b) of Sub Rule (v) of Rule 25 of the A.P. Contract Labour (R&A) Rules, 1971 – Draft Notification for amendment of Service Condition No.12 – Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (LAB.II) DEPARTMENT

G.O.Rt.No.994

Dated:15.06.2011

Read the following:-

1. A.P. Gazette Extra-ordinary Notification No.6, dated:18.08.2009.
2. G.O.Rt.No.1337, of LET & F (Lab.II) Dept, dt:27.11.2010.
3. From the COL Lr.No.S1/3622/2009, dated:20.04.2011.

ORDER:-

The Commissioner, Printing, Stationery and Stores Purchase, Hyderabad is requested to publish the appended Notification in the Extra-ordinary issue of Andhra Pradesh Gazette in English, Telugu and Urdu languages.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.SREENIVASULU
SECRETARY TO GOVERNMENT

To

The Commissioner, Printing, Stationery and Stores Purchase, Andhra Pradesh, Hyderabad for publication in the Extra-ordinary issue of Andhra Pradesh Gazette and supply 20 copies to Government, 1000 copies to the Commissioner of Labour, Andhra Pradesh, Hyderabad.

The Commissioner of Labour, Andhra Pradesh, Hyderabad.

All District Collectors, through Commissioner of Labour, Andhra Pradesh, Hyderabad.

The Secretary to Government of India, Ministry of Labour & Employment, Shramshakti Bhavan, New Delhi.

The Secretary to Government, Department of Labour & Employment, Government of Tamilnadu, Chennai.

The Law (B) Department.

Copy to:

The P.S. to Secretary, LET & F Department.

The P.A. to Joint Secretary, LET & F Department.

Sf/Sc.

// FORWARDED :: BY ORDER

SECTION OFFICER

PRELIMINARY NOTIFICATION

Government issued orders vide G.O.Rt.No.1337, Labour Employment Training & Factories (Lab.II) Department, dt.27.11.2010 introducing VDA for every six months as per the provisions contained under section 2(d) of the Minimum Wages Act, 1948, to the contract labour who are entitled to wages notified under the Contract Labour (R&A) Act, 1970 and the revision shall be taken up once in five years as in the case of scheduled employments notified under the Minimum Wages Act, 1948.

The wages of contract labour were last revised in the year 2009 vide Proceedings No.S2/3622/2009 of the Commissioner of Labour, A.P. Hyderabad, dt.4.8.2009 notified in A.P. Extraordinary Gazette Notification No.6, dt.18.08.2009. In view of the orders issued vide reference No.2, and in accordance with the clause (b) of sub-rule (v) of rule 25 of the A.P. Contract Labour (R&A) Rules, 1971, hereby issue the draft amendment to the condition No.12 which was specified in proceedings No.D1/8385/1979, dt.15.09.1979 under clause (b) of sub-rule (v) of rule 25 of the A.P. Contract Labour (R&A) Rules, 1971, with regard to the wage rates specified under the said rule and order for publication in the A.P. Gazette for information of all the persons.

Notice is hereby given that any objections or suggestions on the wages proposed in the draft notification, which may be received within a period of two months from the date of publication in A.P. Gazette will be considered. The written objections and suggestions should be addressed to the Commissioner of Labour, Andhra Pradesh, T.Anjaiah Karmika Samkshema Bhavan, RTC X Road, Hyderabad – 500 020.

**DRAFT NOTIFICATION FOR AMENDMENT OF SERVICE CONDITION
NO.12 OF RULE 25 (v) (b) of A.P. CONTRACT LABOUR (R&A) RULES,
1971.**

The service condition No.12 specified under clause (b) of sub-rule (v) of Rule 25 of the A.P. Contract Labour (R&A) Rules, 1971 shall be substituted by the following:-

12. Wage Rates:

- (i) Where no rates of wages have been regulated by way of agreement / settlement / award or no wages have statutorily been prescribed under Minimum Wages Act, 1948, for such employment or for any category or class of workmen, the contractor shall pay wages as prescribed in the schedule.
- (ii) To arrive at daily wage, the monthly wage shall be divided by 26 which is inclusive of holiday wages.
- (iii) If statutory wages or wages regulated as per award / settlement / agreement which are in force are more beneficial to the workmen, the workers shall be entitled to such rates of wages notwithstanding the rates of wages fixed under his/her service conditions.
- (iv) Where any category of worker is actually in receipt of higher rates of wages than the wages specified under this service condition he/she shall be continued to be paid such higher wages.

- (v) Where piece rate workers are employed in operation of the establishment, the wages paid to such worker for a normal working day of 8 hours shall not be less than the wages fixed for a general worker in that operation doing similar work.
- (vi) The rates of wages payable to the workmen by the contractor shall not be less than the rates prescribed under the Minimum Wages Act, 1948 (11 of 1948) for such employment where applicable and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed, as per Rule 25(iv).
- (vii) In case where the workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work;
Provided that in the case of any disagreement with regard to the type of work, the same shall be decided by the Commissioner of Labour, Andhra Pradesh, whose decision shall be final. (As per rule 25(v)(a)).
- (viii) In accordance with service condition No.12 – A under rule 25 (v) (b) of the A.P. Contract Labour (R&A) Rules, 1971, the payment of wages shall be made by way of cheque or by crediting to the bank account of the concerned employee.

THE SCHEDULE		
WAGES OF THE CONTRACT LABOUR NOTIFIED UNDER RULE 25 (v)(b) OF THE A.P. CONTRACT LABOUR (R&A) RULES, 1971.		
Sl. No.	Name of the Category (Technical)	Basic Wage (Rs.)
1	2	3
1.	<p><u>Highly Skilled</u> Supervisor / Foreman / Chargeman / Shift Supervisor / Offset Printer / Senior Chemist / Works Supervisor / Technical Supervisor / Senior Mechanic / Senior Fitter / Senior Welder / Section Incharge / Heavy Vehicle Driver / Draughtsman / Computer Programmer / Assistant Production Manager / Assistant Engineer and other similar categories. <u>Definition:</u> The job involves high degree of skill, judgment and capacity to supervise. The employee should possess a Diploma in any branch of Engineering. (Heavy Vehicle Driver should possess requisite driving licence in lieu of diploma in engineering)</p>	10000
2.	<p><u>Skilled:</u> Lab Technician / Maistry in any trade / Quality Checker / Production Assistant / Field Assistant / Machine man / Assistant Foreman / Medium Vehicle Driver / Welder / Fitter / Carpenter / Machinist / Blacksmith / Mechanic / Electrician/ Mason / Lineman / Pump Operator / Painter / Blacksmith / Turner / Lathe Operator / Grinder / Driller / Vulcaniser and other similar categories. <u>Definition:</u> The employee should have skill and capacity to work independently and should possess qualification of ITI or its equivalent in any trade or a minimum of 3 years experience in the field. (Medium Vehicle Driver should possess requisite driving licence in lieu of ITI qualification)</p>	8000
3.	<p><u>Semi-skilled:</u> Assistant Welder / Assistant Carpenter / Assistant Mechanic / Assistant Electrician / Assistant Machinist / Light Vehicle Driver / Assistant Painter / Assistant Mason / Assistant Blacksmith / Assistant Turner / Assistant Lathe Operator / Assistant Grinder / Assistant Driller / Assistant Maistry / Gardener and other similar categories. <u>Definition:</u> Semi-skilled employee is one who had a minimum of one year experience in the trade and able to do repetitive work and simple jobs with the help of simple tools or machines. (Light Vehicle Driver should possess requisite driving licence)</p>	6500

4.	<u>Unskilled:</u> Helper / Attender / Watchman / Hamali / Ayah and such other similar categories <u>Definition:</u> An unskilled employee is one who attends work that involves the performance of the simple tasks which require little or no experience. No worker shall be classified as unskilled if he is called upon to operate any machine.	5500
5.	Office Staff	
i.	Manager	10,000
ii.	Steno / Accountant	6500
iii.	Clerk / Typist / Cashier / Data Entry Operator	6000

COST OF LIVING ALLOWANCE

a) The minimum basic rates of wages fixed are linked to the Consumer Price Index Numbers for the industrial workers at 835 points (Base Year 1982=100 series). The Commissioner of Labour shall notify the Consumer Price Index numbers for every six months i.e. 1st April and 1st October of the calendar year.

For this purpose, the average rise in the State Industrial Workers Consumer Price Index numbers for half year ending December and June respectively shall be taken into account. For every rise of one point over and above (835) points, any increase of Rs.6.55 (Rupees six and Paise Fifty Five only) per point per month shall be paid as Dearness Allowance to all the categories covered in the Schedule.

D.SREENIVASULU
SECRETARY TO GOVERNMENT